

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN  
MILWAUKEE DIVISION**

SHAFI ENTERPRISES, LLC,	)	
	)	Case No. 2:21-cv-861
Plaintiff,	)	
	)	<b>NOTICE OF REMOVAL OF</b>
v.	)	<b>ACTION UNDER 28 U.S.C. § 1441</b>
	)	<b>(Diversity Jurisdiction)</b>
TRAVELERS CASUALTY INSURANCE	)	
COMPANY OF AMERICA,	)	CIRCUIT COURT
	)	MILWAUKEE COUNTY, WI
Defendant.	)	No. 2021 CV 003626

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that Defendant, TRAVELERS CASUALTY INSURANCE COMPANY OF AMERICA (“Travelers”), by and through its attorneys, pursuant to 28 U.S.C. §§ 1332, 1441(a) and 1446, hereby removes to this Court the state court action described below:

1. On or about June 17, 2021, Plaintiff, SHAFI ENTERPRISES, LLC (“Shafi”), filed an action in the Circuit Court for Milwaukee County, Wisconsin, under Case No. 2021 CV 003626, against Defendant Travelers. Plaintiff’s Complaint is attached hereto as Exhibit A and incorporated herein by reference.

2. On June 22, 2021, Travelers’ registered agent was served with the Complaint and Summons by personal service.

3. This Notice of Removal is timely filed under 28 U.S.C. § 1446(b)(1) and (2)(B) as it is filed within thirty (30) days after Travelers’ receipt of Plaintiffs’ Complaint on or after June 22, 2021.

4. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. § 1332 and is one which may be removed to this Court by Travelers pursuant to the

provisions of 28 U.S.C. § 1441 in that it is a civil action between citizens of different states and the matter in controversy exceeds the sum of \$75,000, exclusive of interest and costs.

5. At the time the Complaint was filed, and at all times subsequent thereto, Plaintiff Shafi was and is a Wisconsin limited liability company with its principal place of business in the State of Wisconsin and whose sole member was and is Mohammad Shafi, an individual, who, at all times relevant hereto, was and is a citizen of the State of Wisconsin.

6. At the time the Complaint was filed, and at all times subsequent thereto, Defendant Travelers was and is a Connecticut corporation with its principal place of business in the State of Connecticut.

7. The amount in controversy exceeds \$75,000. 28 U.S.C. 1446(c)(2) permits a defendant to assert the amount in controversy where the amount is not stated in the state court pleading. 28 U.S.C. 1446(c)(2) (2012). Removal is proper where “the district court finds, by the preponderance of the evidence, that the amount in controversy exceeds the amount specified in section 1332(a).” *Id.*

8. The Seventh Circuit has established a low threshold for defendants in establishing the amount in controversy. “It must appear to a legal certainty that the claim is really for less than the jurisdictional amount to justify dismissal.” *Barbers, Hairstyling For Men & Women, Inc. v. Bishop*, 132 F.3d 1203, 1205 (7<sup>th</sup> Cir. 1997). “Removal is proper if the defendant's estimate of the stakes is plausible.” *Rubel v. Pfizer Inc.*, 361 F.3d 1016, 1020 (7<sup>th</sup> Cir. 2004).

9. In this case, prior to filing suit, Shafi claimed it was owed additional amounts in excess of \$79,000. Thus, the amount in controversy exceeds \$75,000.

WHEREFORE, Defendant, TRAVELERS CASUALTY INSURANCE COMPANY OF AMERICA, prays that the above-entitled cause, currently pending in the Circuit Court for

Milwaukee County, Wisconsin, under Case No. 2021 CV 003626, be removed therefrom to the United States District Court for the Eastern District of Wisconsin and that this cause proceed in this Court as an action properly removed thereto.

Respectfully submitted,

/s/ Thomas B. Orlando

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Attorneys for Defendant,  
TRAVELERS CASUALTY INSURANCE  
COMPANY OF AMERICA

### **CERTIFICATE OF SERVICE**

I, the undersigned, on oath, subject to penalty of perjury, state that I served the Notice of Removal and Appearance, by emailing to all counsel of record on July 21, 2021, at the email addresses set forth below.

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/s/ Thomas B. Orlando  
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